

## **REMARKS**

### **Section 112 Rejections:**

Claim 71 stands rejected as being allegedly indefinite under Section 112 Paragraph 2. Applicant has amended Claim 71 to obviate the basis for the rejection. Reconsideration and withdrawal of the rejection is solicited

### **37 CFR 1.75 Objection:**

Claim 84 is objected to as being allegedly a substantial duplicate of Claim 71. Applicant has cancelled Claim 84 without prejudice.

### **Section 102(e) Rejections:**

Claims 31-38 and 87-91 stand rejected under Section 102(e) as allegedly anticipated by U.S. Patent No. 6,188,164 to Brown et al (“Brown”). These rejections are improper and must be withdrawn.

Brown generally teaches a mount assembly for an arc lamp. Specifically, Brown discloses a mount frame comprised of two elongated rods which are affixed to banding straps. These banding straps are mounted upon the glass stem of the lamp and hold the frame against the glass stem. The banding straps disclosed by Brown are thin strips of steel formed into a substantially cylindrical shape. The straps contain a first pair of diametrically opposed convex extrusions which support the ends of the frame against the glass stem and a second pair of extrusions which may be crimped. (Figure 2)

However, the crimp sections of the banding straps (elements 11a and 11b) explicitly do not come into contact with any portion of the frame. Instead, the frame is mounted in the frame receiving areas of the banding straps and the crimped sections referred to are used for “reducing stresses upon the glass stem, as well as in the remainder of the assembly” (Col 2, Line 41-43) In reference to Figure 2 of Brown, “The areas 14c of the rods 14a and 14b are received into the mount frame receiving areas 11c, 11d, 12c and 12d and are fixed therein, preferably by welding.” (Col 2, Line 51-53) Brown does not disclose or imply crimping any portion of the frame to the banding straps (Col 1, Line 20-35) Moreover, the design of the banding straps would physically preclude crimping the frame into the frame receiving areas.

Claim 31 recites in pertinent portions, “a stem clamp having one or more frame retaining tabs crimped around a portion of said frame.” As discussed above, Brown neither discloses nor implies frame retaining tabs supporting the frame but instead describes **banding straps** which support the frame **against the stem**. The frame receiving areas of the banding straps (elements 11d and 11c) are not “crimped around a portion of said frame” and thus do not meet the limitations recited in Claim 31. Moreover, the shape of the frame receiving areas (11a and 11b) disclosed in Brown physically precludes crimping any portion of the strap around the frame. Brown fails to disclose or suggest the limitations recited in Claim 31. The rejection of Claim 31 under Section 102(e) is improper and must be withdrawn.

Dependent Claims 32-40, 71-72, and 89-91 are patentable with Claim 31 without respect to the additional patentable limitations contained therein. For example, Claim 37

recites in pertinent portions, “said leg having a swaged portion adjacent to the terminal end thereof.” The term “swaged” means tooled in such a manner as to produce squared notches in the leg as shown in Figure 15c. In contrast, Brown utilizes an entirely process to achieve an entirely different leg shape. The legs described by Brown are “formed to have a surface which conforms to the inside circumference 11e, 12e of the banding straps 11 and 12 and, likewise, to the outer circumference of the glass stem 10.” (Col 2, Line 32-36) As such, the legs described would have a crescent shape as can be seen in Figure 2 of Brown. The crescent shape is “preferably configured by coining”. (Col 2, Line 37) Brown does not disclose or imply swaged legs but instead discloses crescent shaped legs. Therefore Brown does not anticipate Claim 37.

Further by way of example, Claim 36 recites “The mounting structure of Claim 34 wherein each of said tabs forms an aperture.” As shown in Figure 6a and 6b, the “aperture” is a hole in the retaining tabs that accommodates the legs of the frame. As can be seen in Figure 2 of Brown, the banding straps contain no holes or apertures of any kind. Instead, each strap is a single unbroken, albeit shaped, strip of metal. Since Brown does not contain any apertures as such, Brown does not anticipate Claim 36.

Additionally, Claim 90 recites in pertinent portions, “a slot for receiving a portion of said frame.” As shown above, the banding straps of Brown contain no slots or holes of any kind and therefore Claim 90 can not be anticipated by Brown.

Claim 87 recites in pertinent portions, “**there being no weld** between said frame and any other component in said structure.” While it is unclear from the disclosure of Brown whether or not any portions of the frame are welded, it is clear that Brown does

not preclude welding. In fact, Brown discloses that the frames are fixed in the frame receiving areas “preferably by welding.” (Col 2, Line 53) However, Claim 87 specifically states that there can be **no welds**. Therefore, it is improper to reject Claim 87 on the basis of an element which is arguably present only by its complete omission from the disclosure of Brown. An element which is not disclosed or inherent can not anticipate an explicitly stated element.

Claim 88 has been amended. Claim 88 recites in pertinent portions, “one or more components selected from the group consisting of a stem clamp, arc tube clip, and shroud cap, wherein there being no weld between said frame and one or more of said components.” As discussed above, Brown does not disclose “no weld”. Further, Brown does not disclose or imply any of the components of Claim 88. As discussed for Claim 32 above, the banding straps disclosed by Brown are not similar to the stem clamp disclosed in Claim 88. Nor does Brown at any point teach an arc tube clip of any kind. The extent of Brown’s discussion of the mechanism for supporting the arc tube is “rods support the arc tube.” (Col 2, Line 21) This brief statement does not anticipate the arc tube clips claimed in Claim 88. Finally, a shroud cap is antithetical to the invention of Brown. Brown discloses an enclosed, (i.e. shroudless) arc tube assembly and does not discuss any type of shroud or shroud cap. Because Brown contains none of the components disclosed in Claim 88, Brown does not anticipate Claim 88.

**Section 103(a) Rejections:**

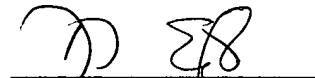
Claims 71 and 84 stand rejected under Section 103(a) as allegedly obvious over Brown in view of U.S. Patent No. 3,094,640 to Gustin (“Gustin”). The rejection is improper and must be withdrawn.

Claim 71 depends from Claim 31 and therefore the above discussion of Brown is relevant. As demonstrated above, Brown does not teach the frame retaining tabs, stem clamp or the crimping which is clearly disclosed in Claim 71. Gustin, although it does disclose a heat shield, also fails to teach or imply any of these elements. Therefore, Brown and Gustin can not render Claim 71 obvious.

For at least the reasons discussed above, the claims rejected by the Examiner are in a condition for allowance. Accordingly, reconsideration and withdrawal of the rejection of Claims 31-38, 71, and 87-90 is hereby solicited.

A further and favorable action and allowance of the pending claims is solicited.

Respectfully submitted,

  
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